

1 BILL NO. R-83-02-10

2 RESOLUTION NO. R-16-82

3 A RESOLUTION authorizing the sub-
4 mission of a final statement of
5 community development objectives
6 including the projected use of
7 funds and required certifications
8 to the United States Department
9 of Housing and Urban Development.

10 WHEREAS, the City of Fort Wayne has as a goal the pro-
11 vision of a decent and viable living environment for all of its
12 citizens; and

13 WHEREAS, the City of Fort Wayne has consistently com-
14 mitted itself to the elimination of blight and deterioration
15 which is present within the community and the prevention of its
16 further spread; and

17 WHEREAS, under the provision of the Housing and Commu-
18 nity Development Act of 1980, the City of Fort Wayne is entitled
19 to receive annual grants through the Community Development Block
20 Grant Program; and

21 WHEREAS, funding under this program must be used for
22 the promotion of viable urban communities and the prevention or
23 elimination of blight and deterioration, primarily for the bene-
24 fit of low and moderate income people; and

25 WHEREAS, the City of Fort Wayne has developed a commu-
26 nity development plan and program which is consistent with the
27 city's overall strategy for preventing the further spread and
28 elimination of blight and deterioration; and

29 WHEREAS, all necessary steps have been taken by the
30 Mayor and by the Department of Community Development and Planning
31 staff to properly complete the attached entitlement submission
32 for 1983 (ninth year) Community Development Block Grant funding
in conformance with that strategy and plan.

33 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA:

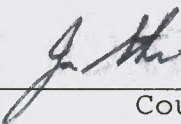
1 Page Two

2
3 SECTION 1. That the attached budget, made a part here-
4 of, which includes Two Million Eight Hundred Ninety-Two Thousand
5 and No/100 Dollars (\$2,892,000.00) in 1983 (ninth year) entitle-
6 ment funds and the accompanying certifications are hereby approved
7 in all respects and the Mayor is hereby authorized to forward
8 same to the United States Department of Housing and Urban Devel-
9 opment so that the City may receive its 1983 Community Develop-
10 ment Block Grant Entitlement.

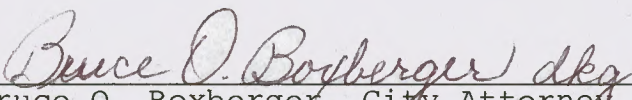
11 SECTION 2. That Mayor Winfield C. Moses, Jr., in his
12 capacity as Chief Executive Officer for the City of Fort Wayne
13 be authorized to act on behalf of the City in consummating con-
14 tractual agreements pertaining to this grant and providing
15 additional information and documentation pertinent thereto as
16 required.

17 SECTION 3. That the Common Council, by its approval
18 hereof, hereby reaffirms its intent to reduce and eliminate urban
19 blight within the City of Fort Wayne.

20 SECTION 4. That this Resolution shall be effective
21 upon passage and approval by the Mayor.

22
23
24 
25 Councilmember

26 APPROVED AS TO FORM
27 AND LEGALITY

28 
29 Bruce O. Boxberger, City Attorney
30
31
32

Read the first time in full and on motion by Stier, seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 2-8-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Stier, seconded by Clarke, and duly adopted, placed on its passage. PASSED (~~lost~~) by the following vote:

| | AYES | NAYS | ABSTAINED | ABSENT | TO-WIT: |
|-------------|----------|----------|-----------|----------|---------|
| TOTAL VOTES | <u>8</u> | <u>0</u> | | <u>1</u> | |
| BRADBURY | <u>X</u> | | | | |
| BURNS | <u>X</u> | | | | |
| EISBART | <u>X</u> | | | | |
| GiaQUINTA | | | | <u>X</u> | |
| SCHMIDT | <u>X</u> | | | | |
| SCHOMBURG | <u>X</u> | | | | |
| SCRUGGS | <u>X</u> | | | | |
| STIER | <u>X</u> | | | | |
| TALARICO | <u>X</u> | | | | |

DATE: 2-22-83

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ZONING MAP~~) (GENERAL) (~~ANNEXATION~~) (SPECIAL)

(~~APPROPRIATION~~) ORDINANCE (RESOLUTION) NO. 9-06-83

on the 22nd day of February, 1983

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1983, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 28th day of February, 1983, at the hour of 4 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

January 28, 1983

CITY OF FORT WAYNE
1983 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES
AND PROJECTED USE OF FUNDS

Statement of Objectives

HOUSING: Rehabilitate and conserve the existing housing stock and expand sound housing for low and moderate income families.

PUBLIC FACILITIES: Provide public improvements and facilities which support community development activities.

ECONOMIC DEVELOPMENT: Assist in the creation and retention of jobs and the improvement of the City's economic conditions.

PUBLIC SERVICES: Expand and improve the quantity and quality of public services that are necessary and appropriate to implement community development strategies.

HISTORIC PRESERVATION: Preserve and restore the City's historic and/or architectural character.

Projected Use of Funds

Housing

| | |
|-----------------------------------|---------------|
| Relocation | \$ 87,300 |
| Real Estate & Acquisition | 178,500 |
| Insulation | 51,700 |
| Exterior Paint Program | 47,850 |
| Urban Homesteading | 69,800 |
| HILP | 327,500 |
| Demolition | 31,500 |
| Floodproofing Revolving Loan Fund | 10,000 |
| Multi-Family Rehab | 120,100 |
| UDAG | 103,100 |
| Acq/Rehab Mortgage Loan | 207,500 |
| Neighborhood Clean-up | 16,200 |
| Weatherization Workshops | 50,000 |
| Emergency Home Repair Program | <u>73,275</u> |

\$1,374,325

Public Facilities

NSA Capital Improvements \$1,000,000

Economic Development

| | |
|---|---------------|
| Near Southeast LDC | \$ 42,000 |
| Wells St. Facade Loan Program | 42,000 |
| Wells St. Corridor Improvements | 150,000 |
| 50/50 Downtown Commercial Rehab Loan Program | 150,000 |
| Pontiac Challenge Grants Program | 35,000 |
| Barr St. Market Improvements | 175,000 |
| Downtown Corridor Improvements | 200,000 |
| Downtown Street Trees | <u>25,000</u> |

819,000

Public Services

| | |
|---|---------------|
| Victim Assistance | \$ 34,250 |
| Hanna-Creighton Nutrition Center | 16,240 |
| Hispanic Housing Program | 15,000 |
| Nebraska Neighborhood Center | 1,875 |
| Community Education (Parks & Rec. Dept) | <u>18,500</u> |

85,865

Historic Preservation

| | |
|-------------------------------------|--------------|
| Historic Facade Grant Program | \$ 10,000 |
| Edsall-Brown-Wise House Restoration | <u>1,400</u> |

11,400

Program Administration

295,000

Planning Program

190,000

Fair Housing

27,400

Contingency

89,010

TOTAL 1983 PROGRAM COSTS

\$3,892,000

CERTIFICATIONS

The grantee hereby assures and certifies that it will comply with the regulations, policies, guidelines and requirements with respect to the acceptance and use of Federal funds for this federally-assisted program. Also the grantee gives assurances and certifies with respect to the grant that:

- (a) It possesses legal authority to make a grant submission and to execute a community development and housing program;
- (b) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (c) That prior to submission of its final statement to HUD, the grantee has met the citizen participation requirements, prepared its final statement of community development objectives and projected use of funds, and made the final statement available to the public, as required by section 104(a)(2) of the Housing and Community Development Act of 1974, as amended;
- (d) It is following a current housing assistance plan which has been approved by HUD and which meets the requirements of section 104(c)(1) of the Housing and Community Development Act of 1974, as amended;
- (e) It has developed its final statement of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement of projected use of funds may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious threat to the health and welfare of the community, and other financial resources are not available;
- (f) Its chief executive officer or other officer of the grantee approved by HUD:
 - (1) Consents to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969 and other authorities as specified in 24 CFR 58.5; and
 - (2) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his/her responsibilities as such an official;
- (g) The grant will be conducted and administered in compliance with:
 - (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352) and implementing regulations issued at 24 CFR Part 1;
 - (2) Title VIII of the Civil Rights Act of 1968 (Pub. L. 90-284), as amended; and that the grantee will administer all programs and activities related

Certifications - Page 2

- to housing and community development in a manner to affirmatively further fair housing;
- (3) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto;
 - (4) Section 3 of the Housing and Urban Development Act of 1968, as amended;
 - (5) Executive Order 11246, as amended by Executive Orders 11375 and 12086, and implementing regulations issues at 41 CFR Chapter 60;
 - (6) Executive Order 11063, as amended by Executive Order 12259, and implementing regulations at 24 CFR Part 107;
 - (7) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended, and implementing regulations when published for effect;
 - (8) The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and implementing regulations when published for effect;
 - (9) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the implementing regulations at 24 CFR Part 42;
 - (10) The labor standards requirements as set forth in 24 CFR Part 570, Subpart K and HUD regulations issued to implement such requirements;
 - (11) Executive order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;
 - (12) The flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234); and
 - (13) The regulations, policies, guidelines and requirements of OMB Circular Nos. A-102, Revised, A-87, A-110, and A-122 as they relate to the acceptance and use of Federal funds under this federally-assisted program;
- (h) No member, officer or employee of the Grantee, or its designees or agents, no member of the governing body of the locality in which the program is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the program during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the program assisted under the Grant, and that it shall incorporate, or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this certification;

Certifications - Page 3

- (i) It will comply with the provisions of the Hatch Act which limits the political activity of employees;
- (j) It will give HUD and the Comptroller General or any authorized representatives access to and the right to examine all records, books, papers, or documents related to the grant;
- (k) It will comply with the lead-based paint requirements of 24 CFR Part 35 issued pursuant to the Lead-based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.).

BILL NO. R-83-02-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION authorizing the submission of a final
statement of community development objectives including the projected
use of funds and required certifications to the United States
Department of Housing and Urban Development

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG ~~LEAVE~~ ^{TO} REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GiaQUINTA

ROY J. SCHOMBURG

22283 CONCURRED IN
DATE _____ CHARLES W. WESTERMAN, CITY CLERK

APPLICATION TO FORT WAYNE, INDIANA
ECONOMIC DEVELOPMENT COMMISSION,
FOR ECONOMIC DEVELOPMENT
REVENUE BOND FINANCING

(1) Applicant's name

ConVen, LTD

(2) Address of Applicant's Principal Office and Place of Business.

Suite 900

300 Spring Building

Little Rock, AR 72201

Mailing Address:

PO Box 1655

Little Rock, AR 72203

(3) Type of organization under which the Applicant does business
(e.g. corporation, partnership, sole proprietorship, joint venture).

Limited Partnership

(4) Under the laws of what State is the Applicant organized?

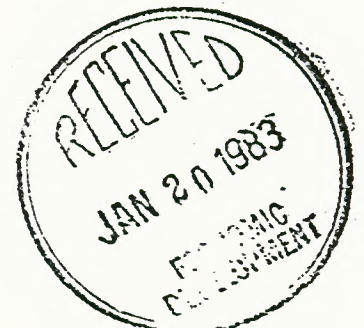
Indiana

(5) Business or business in which applicant is engaged?

Development

(6) Is the applicant qualified to do business in Indiana?

Yes



(7) Please list names and titles of principal operating personnel.

Bob Joblin, General Partner

(8) Please list names of all persons or firms having an ownership interest of 10% or more in the applicant.

No one has over 5%

(9) Please list names of any persons who are both (a) shareholders or holders of any debt obligation of the applicant; and (b) officers or members of the Economic Development Commission; or members of the Common Council of the City; or members of the Allen County Council.

none

(10) Has any person listed been (a) convicted of a felony, (b) convicted of or enjoined from any violation of state or federal securities laws, or (c) a part to any consent order or entry with respect to an alleged state or federal securities law violation, in each case within ten years preceding the date of this application?

- a) no
- b) no
- c) no

(11) What is applicant's net worth as of the end of the calendar or fiscal year quarter next preceding the date of the application?

recently formed; no net worth as of date requested.

(12) How long has applicant been in business (a) under its present name, and (b) under any prior names? Please supply, if applicable.

(a) just formed
(b) n/a

(13) What is the proposed amount of the bond issue?

Not to exceed
\$20,000,000

(14) How are the proceeds of the issue to be used? (Itemize by category of expenditure)

Construction of Fort Wayne Civic Center and other related public spaces.

(15) If the proceeds of the issue are not estimated to be sufficient to acquire, construct and/or remodel, and equip the proposed project, itemize the additional expenditures which will be necessary and indicate the source of such funds.

none

(16) Where is the proposed project to be located? (Give street address and legal description as it appears on auditor's records).

The western 2/3 of block bounded by Jefferson, Calhoun, Washington and Harrison Streets.

(17) Describe facilities to be constructed. (Provide architect's rendering if available).

25,000 S.F. Exhibition Hall

Ballroom

Meeting Rooms

Administrative Support Space

Circulation and Public Areas

Kitchen, Storage and Other Back-of-the-House Areas

Dining Rooms and Lounges

(18) Is the project solely within the city limits of Fort Wayne? (If not, give the name of the township and/or other municipality in which it is located).

Yes

(19) Is the property solely within the Fort Wayne Community School District? (If not, state the name of the School District in which it is located).

Yes

(20) What is the approximate size of the tract or parcel on which the property is to be situated?

2/3 of a City Block

(21) If the proposed project or a portion thereof is to be leased to another entity or entities, name the entity or entities and describe the portion to be leased. If no lease is contemplated, please indicate.

Some space will be leased to the Fort Wayne Convention Hotel, including administrative, circulation, back-of-the-house, kitchen, dining rooms, lounges, etc.

(22) What is the nature of the business to be conducted at this location?
Civic Center for meetings and events

(23) Does existing zoning clearly permit construction and operation of the proposed project?
yes

(a) - What is the existing zone?

(b) - What zone does project require?

(24) Will the proposed project have ready access to (a) water, and (b) sewers? If not, state how it is intended to obtain access to those utilities.

(a) yes
(b) yes

(25) Are septic tank or other temporary sewage treatment and disposal facilities to be used in lieu of sewers?

no

(26) Describe briefly any adverse environmental impact anticipated by reason of operation of the proposed project, with particular reference to air, noise or water pollution.

none

(27) If the project is constructed, will any existing jobs be lost by reason of reduction or cessation of operations (a) in the City, (b) in Allen County, or (c) elsewhere in the State of Indiana?

none

(28) Describe briefly by category the nature of the new jobs to be created.

10 Administrative Personnel

5 Maintenance Personnel

This project will also leverage another 250 new jobs with the development of the convention center hotel.

(29) State the number of new jobs to be created (a) immediately after the proposed facilities are placed into operation, and (b) within three years thereafter.

(a)
(b) see above

(30) What additional annual payroll will the new jobs generate (a) immediately after the proposed facilities are placed into operation, and (b) within three years thereafter.

(a) \$150,000 (direct; excluding hotel)
(b) 200,000

(31) If the proposed project would not be approved for tax-exempt financing, is there any substantial possibility that loss of existing jobs would occur in (a) the City, (b) the County, or (c) the State of Indiana? If the answer to either (a), (b) or (c) is affirmative, what would be the approximate number of jobs lost and the approximate net annual dollar amount of payroll loss?

no

(32) Has the proposed project been informally reviewed by bond counsel to determine whether it is in accordance with the applicable state and federal law? If so, by what firm of bond counsel?

Presently being reviewed by Kutak, Rock & Huie; Waring, Cox, Sklar, Allen, Chafetz & Watson; Bayh, Tabbert & Capehart.

(33) Have tentative or final arrangements been made for sale of the bonds? Describe briefly any such arrangements.

Yes. Financing by the issuance of EDC Bonds to be marketed by E. F. Hutton.

(34) Describe briefly the proposed method of financing. (Direct, loan, lease, sale, etc.)

lease

ConVen, LTD

Name of Applicant

BY:

Its:

Dated this 19th day of January, 1983.

State name, address and phone number of person to be contacted and given notice about this applicant:

Mr. Charles J. Wienraub
Hunt, Suedhoff, Borrer & Eilbacher
900 Inland Building
Fort Wayne, Indiana 46802
423-1311



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

3 February 1983

Mr. Fred Baughman
Economic Development Commission
City-County Building - 8th Floor
One Main Street
Fort Wayne, IN 46802

Re: ConVen Ltd.

Dear Mr. Baughman:

The property described in the EDC application as being located in the western 2/3 of the block bounded by Jefferson, Calhoun, Washington and Harrison Streets is zoned "B-3-A" General Business. The use proposed in the application is permitted within the "B-3-A" zoning classification.

If you have questions please contact me at 423-7571.

Sincerely,


Gary F. Baeten
Senior Planner

GFB:pb

INDUCEMENT RESOLUTION OF
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
ON APPLICATION OF
CONVEN, LTD, AN INDIANA LIMITED PARTNERSHIP

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is authorized by Indiana Code Sec. 36-7-12 (the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the acquisition, construction and equipping of said facilities, and said facilities to be either sold or leased to the user or developer; and

WHEREAS, ConVen LTD, an Indiana Partnership (the "Applicant"), has advised the Fort Wayne Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer acquire and equip an economic development facility and sell and/or lease the same to the Applicant or loan proceeds of an economic development financing to the Applicant for the same, said economic development facility to be construction of Fort Wayne Civic Center and other related public spaces including exhibition hall, ballroom, meeting rooms, administrative support space, circulation and public areas, kitchen, storage and other back-of-the-house areas, dining rooms and lounges to be located on the western 2/3 of the block bounded by Jefferson, Calhoun, Washington, and Harrison Streets in Fort Wayne, Indiana, including cost of issuance, for use as a Civic Center to be leased to the Fort Wayne and Allen County Convention and Tourism Authority with some space leased to Fort Wayne Center Associates for use by the Convention Hotel (the "Project"); and

WHEREAS, the diversification of industry and increase in job opportunities to be achieved by the acquisition of the Project

will be of public benefit to the health, safety and general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of public benefit to the health, safety and general welfare of the Issuer and its citizens or the citizens of Allen County, Indiana; and

WHEREAS, the acquisition and construction of the facility will not have an adverse competitive effect on any similar facility already constructed or operating in Allen County, Indiana.

NOW, THEREFORE, BE IT RESOLVED by the Commission as follows:

1. The Commission hereby finds and determines that the promotion of diversification of economic development and job opportunities in Fort Wayne, Indiana, is desirable to preserve the health, safety and general welfare of the citizens of the Issuer, and that it is in the public interest that the Commission and the Issuer take such action as they lawfully may to encourage economic development, diversification of industry and promotion of job opportunities in and near the Issuer.

2. The Commission hereby finds and determines that the issuance and sale of economic development revenue bonds in an amount of approximately \$20,000,000.00 of the Issuer under the Act for the acquisition, construction and equipping of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant, will serve the public purposes referred to above, in accordance with the Act.

3. In order to induce the Applicant to proceed with the acquisition, construction and equipping of the Project, the Commission hereby finds and determines that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing

or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds.

4. All costs of the Project which may be financed under the Act will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will sell or lease the same to the Applicant or loan the proceeds from the sale of the bonds to the Applicant for the same purposes.

5. This Resolution shall expire 180 days after the date of its adoption unless the Applicant either requests the Commission to adopt a final resolution approving closing documents or requests an extension from the Commission, which extension shall be granted upon good cause being shown.

ADOPTED this 3rd day of FEBRUARY, 1983.

FORT WAYNE ECONOMIC DEVELOPMENT
COMMISSION

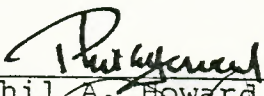


Sidney R. Speray

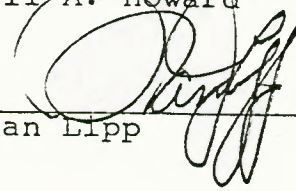


Timothy Borne

Charles M. Henry



Phil A. Howard



Stan Lipp

RESOLUTION
TITLE OF ~~ORDINANCE~~ 1983 Community Development Block Grant

RESOLUTION
DEPARTMENT REQUESTING ~~ORDINANCE~~ Community Development and Planning

RESOLUTION
SYNOPSIS OF ~~ORDINANCE~~ The resolution authorizes the Mayor to submit the

attached program to the U.S. Department of Housing and Urban Development for \$2,892,000

to assist in funding the City's 1983 CDBG program and authorizes the Mayor to administer
the program.

EFFECT OF PASSAGE CDBG program will be submitted to the Department of Housing
and Urban Development by March 1, 1983. The block grant will become available on
April 1, 1983 for funding the CDBG program.

EFFECT OF NON-PASSAGE Program implementation and/or \$2,892,000 CDBG grant will
be delayed or jeopardized.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

\$2,892,000 - 1983 CDBG Entitlement Grant

\$ 900,000 - Anticipated Reprogrammed CDBG Funds

\$ 100,000 - Anticipated Program Income

ASSIGNED TO COMMITTEE (J.N.)

Regulations